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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 CHARLETTE SNEED,

12 Plaintiff,

13 vs.

14 CHASE HOME FINANCE LLC, FIRST
15 FEDERAL BANK OF CALIFORNIA,
HOMEQ SERVICING, COUNTRYWIDE,
GMAC/SILVERSTATE,

16 Defendants.
17

CASE NO. 07CV0729-LAB (AJB)

ORDER OF DISMISSAL

18 On April 20, 2007, Plaintiff filed her complaint against all Defendants. On May 11,
19 summonses were issued as to all Defendants.

20 On July 24, Defendant Chase Home Finance filed a motion to dismiss and motion for
21 a more definite statement. Plaintiff did not oppose these motions, nor did she respond to
22 Defendant Chase Home Finance's reply noting that she had not responded. The Court may
23 therefore grant Defendant Chase Home Finance's motion as unopposed. *Ghazali v. Moran*,
24 46 F.3d 52, 53 (9th Cir. 1995); Civil Local Rule 7.1(f)(3)(c).

25 No proofs of service were ever filed; however, in addition to Defendant Chase Home
26 Finance, Defendants First Federal Bank of California and Countrywide Home Loans, Inc.
27 appeared and all claims against them have been dismissed. The two remaining Defendants,
28 HomEq Servicing and GMAC/Silverstate, have not appeared. Pursuant to Fed. R. Civ. P.

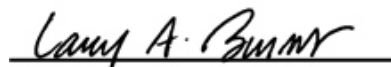
1 4(l), proof of service must be provided to the Court. Pursuant to Fed. R. Civ. P. 4(m), service
2 of the summons and complaint must be made no later than 120 days after the filing of the
3 complaint. Noting that this time period had already passed, the Court ordered Plaintiff to file
4 proofs of service on the remaining Defendants (HomEq Servicing and GMAC/Silverstate) no
5 later than 14 calendar days from the date the order to show cause was entered. If Plaintiff
6 wished to show good cause for failure to serve within the time limit, she was directed to do
7 so by filing a memorandum of points and authorities, to be filed within the same time limit.

8 Plaintiff has not shown cause as ordered, nor has she attempted to do so, nor has
9 she sought relief from the Court's order. The last activity by Plaintiff in this case was an
10 attempt to file an amended complaint, which was rejected by the Court by discrepancy order
11 on August 1, 2007.

12 Defendant Chase Home Finance's motion to dismiss is therefore **GRANTED**. All
13 claims against Defendants HomEq Servicing and GMAC/Silverstate are likewise
14 **DISMISSED**. Because all claims against all Defendants have been dismissed without
15 prejudice, this action is therefore **DISMISSED WITHOUT PREJUDICE**.

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17 **IT IS SO ORDERED.**

18 DATED: September 7, 2007

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20 **HONORABLE LARRY ALAN BURNS**
21 United States District Judge
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